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Attorneys for Defendant and Counterclaimant
PHILIPS LUMILEDS LIGHTING COMPANY, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EPISTAR CORPORATION,

Plaintiff,

v.

PHILIPS LUMILEDS LIGHTING
COMPANY, LLC,

Defendant.

AND RELATED COUNTERCLAIMS

Case No. C-07-5194 CW

**DECLARATION OF MICHAEL J. LYONS
IN SUPPORT OF REPLY IN SUPPORT OF
MOTION BY PHILIPS LUMILEDS
LIGHTING COMPANY, LLC FOR
SUMMARY JUDGMENT ON EPISTAR
CORPORATION'S CLAIM FOR BREACH
OF CONTRACT**

Date: August 7, 2008

Time: 2:00 p.m.

Location: Courtroom 2, 4th Floor

Judge: The Honorable Claudia Wilken

EXHIBITS A-L FILED UNDER SEAL

1 I, Michael J. Lyons, hereby declare as follows:

2 1. I am an attorney duly licensed and admitted to practice before this Court and an
3 partner at the law firm of Morgan, Lewis & Bockius LLP. I am one of the attorneys for defendant
4 and counterclaimant Philips Lumileds Lighting Company, LLC ("Lumileds"), in the present
5 action. I have personal knowledge of the facts stated herein, and if called and sworn as a witness,
6 I could testify competently thereto. I make this declaration in support of Lumileds' reply in
7 support of its motion for judgment on the pleadings.

8 2. Attached hereto as Exhibit A is a true and correct copy of relevant portions of the
9 March 27, 2006 deposition transcript of C.C. Lu in the ITC's investigation *In the Matter of*
10 *Certain High-Brightness Light Emitting Diodes and Products Containing Same*, USITC Inv. No.
11 337-TA-556, which was admitted as Complainant's Exhibit CX 605C in that investigation. ***This***
12 ***exhibit contains confidential information, subject to protective order.***

13 3. Attached hereto as Exhibit B is a true and correct copy of a letter dated June 18,
14 2004 from Michael J. Lyons to Robert C. Weiss, including attachment. ***This exhibit contains***
15 ***confidential information, subject to protective order.***

16 4. Attached hereto as Exhibit C is a true and correct copy of emails dated April 26,
17 2004 from Andrew J. Wu to Lawrence R. LaPorte. ***This exhibit contains confidential***
18 ***information, subject to protective order.***

19 5. Attached hereto as Exhibit D is a true and correct copy of a letter dated June 22,
20 2004 from Andrew J. Wu to Lawrence R. LaPorte. ***This exhibit contains confidential***
21 ***information, subject to protective order.***

22 6. Attached hereto as Exhibit E is a true and correct copy of a letter dated June 24,
23 2004 from Robert C. Weiss to Michael J. Lyons, including attachment. ***This exhibit contains***
24 ***confidential information, subject to protective order.***

25 7. Attached hereto as Exhibit F is a true and correct copy of a letter dated June 23,
26 2004 from Lawrence R. LaPorte to Andrew J. Wu. ***This exhibit contains confidential***
27 ***information, subject to protective order.***

